

46 Am. Jur. 2d Judges § 248

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Judges

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XII. Special, Substitute, or Pro Tem Judges

C. Rights, Powers, and Duties

§ 248. Extension by temporary judge of time to act

[Topic Summary](#) | [Correlation Table](#) | [References](#)

West's Key Number Digest

West's Key Number Digest, [Judges](#)  25(2)

A special judge or a judge pro tem who extends the time within which a party may file a motion may properly rule upon such matter within the extended time, even though the term of court for which the judge was appointed has expired.¹

A judge pro tem, however, cannot extend the time for making and serving a case made after the term of office has expired;² and neither a special judge nor a judge pro tem has the power, after ceasing to sit in a case, to extend the time for preparing, serving, or settling a case made.³

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Footnotes

- 1 [Atlantic Coast Line R. Co. v. Mallard](#), 53 Fla. 515, 43 So. 755 (1907); [Lambert v. Lambert](#), 208 S.W. 118 (Mo. Ct. App. 1919).
- 2 [Wallace v. Caldwell](#), 9 Kan. App. 538, 59 P. 379 (1899).
- 3 [Shawnee Nat. Bank v. Van Zant](#), 1921 OK 355, 84 Okla. 107, 202 P. 285, 26 A.L.R. 1349 (1921) (overruled in part on other grounds by, [Hembree v. Magnolia Petroleum Co.](#), 1935 OK 893, 176 Okla. 524, 56 P.2d 851 (1935)) and (overruled in part on other grounds by, [Culbertson v. McCann](#), 1983 OK 57, 664 P.2d 388 (Okla. 1983)).

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